

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

QUINTIN J. MAYWEATHER-BROWN,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 3:17-CV-376 JD
)	
SUPERINTENDENT SEVERE,)	
)	
Defendant.)	

OPINION AND ORDER

Quintin J. Mayweather-Brown, a pro se prisoner, is barred¹ from proceeding in forma pauperis by 28 U.S.C. § 1915(g) except on claims alleging that he ‘is under imminent danger of serious physical injury.’” *Abdul-Wadood v. Nathan*, 91 F.3d 1023, 1025 (7th Cir. 1996). In his complaint, he alleges that he is seriously mentally ill. He alleges that he has attempted suicide by banging his head on the wall, cutting himself, and tying things around his neck. He alleges that prison officials have done nothing to stop him and that he is not receiving mental health treatment. These allegations satisfy the “imminent danger standard” and he will be granted leave to proceed in forma pauperis. He will proceed in this case on a claim for injunctive relief requiring prison staff to intervene to prevent him from killing himself and to provide him with mental health treatment. To the extent that he is also attempting to bring any other claims in this case, they will be dismissed without prejudice. If he wants to pursue any such claims, he must file a separate lawsuit and pre-pay the \$400.00 filing fee for the other case.

¹ See *Mayweather-Brown v. Elkhart Co. Sheriff's Dept.*, 3:17-cv-178 (N.D. Ind. filed February 27, 2017), ECF No. 3 entered March 6, 2017.

Mayweather-Brown names four defendants, but Superintendent Severe, in his official capacity, is the only defendant necessary for his injunctive relief claim. Therefore all other defendants will be dismissed.

Finally, though Mayweather-Brown does not ask for preliminary injunctive relief, given that he is proceeding pro se and has met the “imminent danger standard,” the court will sua sponte order Superintendent Severe to have Mayweather-Brown examined by a psychiatrist in response to this order. The psychiatrist needs to prepare a declaration describing the examination and evaluating Mayweather-Brown’s physical and mental health. The psychiatrist needs to provide an opinion as to whether he is a danger to himself and recommend a course of treatment. It is not necessary to attach medical records – the court needs a narrative description of his history, condition, and recommended treatment. Additionally, the declaration may include any additional, relevant information necessary for the court to consider.

For these reasons, the court:

(1) **GRANTS** Quintin J. Mayweather-Brown leave to proceed against Superintendent Severe, in his official capacity, for injunctive relief requiring prison staff to intervene to prevent Mayweather-Brown from killing himself and to provide Mayweather-Brown with mental health treatment;

(2) **DISMISSES** all other claims **WITHOUT PREJUDICE**;

(3) **DISMISSES** all other defendants;

(4) **DIRECTS** the clerk and the United States Marshals Service to issue and serve process on Superintendent Severe with a copy of this order and the complaint as required by 28 U.S.C. § 1915(d);

(5) **ORDERS**, pursuant to 42 U.S.C. § 1997e(g)(2), that Superintendent Severe respond, as provided for in the Federal Rules of Civil Procedure and N.D. Ind. L.R. 10-1(b), only to the claim for which the plaintiff has been granted leave to proceed in this screening order; and

(6) **ORDERS** Superintendent Severe to file the declaration of a psychiatrist (as described in this order) by **June 8, 2017**.

SO ORDERED.

ENTERED: May 17, 2017

/s/ JON E. DEGUILIO
Judge
United States District Judge